

Report of the Board of Directors

Don Onwiler

Nebraska Department of Agriculture/Weights & Measures

Introduction

The Board held its quarterly Board of Directors (BOD) meeting on Saturday, July 8, 2006, and continued that meeting during work sessions throughout the remainder of the Annual Meeting. The Board of Directors and the NTEP Committee invited members to dialogue with the BOD on the following issues: Conformity Assessment, NCWM Organizational Structure, the National Training Program, Voting Procedures, Public Relations campaign and participation internationally, i.e., OIML, CFTM, APLMF, and USNWG.

Table A
Table of Contents

Subject	Page
Introduction	1
1. Improving Standards Development	2
2. Marketplace Surveys	2
3. Meetings	3
4. Membership Marketing	3
5. NCWM Website – www.ncwm.net	4
6. Electronic Copies of NCWM Publication 14	4
7. Mutual Acceptance Arrangements	4
8. Participation in International Standard Setting	5
9. NCWM Registration Fees Refund Policy	5

Table B
Appendices

Appendix	Title	Page
A	Report on the Activities of the International Organization of Legal Metrology (OIML) and Regional Legal Metrology Organizations	A1
B	Report of the Associate Membership Committee (AMC)	B1

Details of all Items
(In order by Reference Key Number)

1. Improving Standards Development

Technical issues forwarded to the NCWM standing committees appear in various stages of development and degrees of technical complexity. Following are some concerns that have been raised regarding the NCWM's ability to develop properly such issues:

- The NCWM may need to draw in additional technical expertise on occasion.
- More outreach may be necessary to inform stakeholders.
- Development of issues needs to occur throughout the year, not just at Annual and Interim meetings.
- New proposals need proper development and supporting documentation prior to reaching standing committees.

The NCWM and NIST developed a plan to address these concerns in an effort to improve the NCWM standards development process. A review panel was formed to study all new items forwarded to the NCWM standing committees. The purpose of the panel was to assess the needs of each new item in order to gain proper development and consensus within the NCWM. For each new proposal, the panel will provide the standing committee with a recommendation for the proper course of action. Recommendations were to include utilizing a work group of experts, returning the item to the source for further development, development through the routine open hearings of the NCWM and regional associations, etc.

Don Onwiler and Henry Oppermann presented this plan at the 2005 NCWM Annual Meeting and at the 2005 Annual Meetings of each of the regional associations. The NCWM gave the plan a trial run in the fall of 2005. All new proposals forwarded to the NCWM standing committees for consideration at the 2006 Interim Meeting were assessed by the review panel and recommendations were provided to the standing committees. The recommendations were posted on the NCWM website and were made available to Interim Meeting attendees. They were included in NCWM Publication 16 and will become part of the NCWM Annual Report following the Annual Meeting.

At its spring meeting in 2006, the BOD held further discussions based on comments heard from members during the 2006 NCWM Interim Meeting. Many members have viewed the review panel as nothing more than an added layer of bureaucracy. The BOD is in consensus that the review panel was not meant to be a permanent fixture, but rather a tool to assist the organization in improving its process. In this respect, the panel has been a success. Weaknesses have been identified giving the Board a better understanding of ways to improve.

Therefore, the BOD has made the following decisions:

- Discontinue the review panel and allow standing committees to fulfill those duties as part of their normal process;
- Redevelop Form 15 and seek universal acceptance and use by all regional associations;
- Develop programs of team-building among NCWM leadership including BOD, standing committees, and technical advisors; and
- Use those programs to discuss and improve our respective roles in standards development.

The BOD expresses gratitude to officials, industry, and NIST WMD who assisted in the efforts of the panel.

2. Marketplace Surveys

The NCWM conducted a marketplace survey this year. Marketplace surveys benchmark levels of compliance and provide a tool to evaluate the effect of weights and measures presence in a given area of regulation. Surveys can be done on a specific device type, on net quantity verification of various commodities, scanner accuracies, tare on sales

from bulk, and so forth. It is our hope that jurisdictions may be able to use this data to demonstrate the need for sufficient funding for a comprehensive weights and measures program.

The BOD is following NCWM protocol for national surveys. A team within the BOD set the direction for the first survey.

The goals of the survey are to:

- 1) Benchmark the variances in compliance between jurisdictions where inspections are conducted versus those where inspections do not take place;
- 2) Promote funding for this discipline of inspection in jurisdictions by demonstrating the effect of a regulatory presence in the marketplace; and
- 3) Generate public awareness of weights and measures activities.

This year the survey was on net quantity of random weight meat and poultry items wrapped and labeled at retail stores. It began with joint planning between NCWM and NIST WMD. NIST provided test reports, outlined test procedures, and provided training to participating jurisdictions. Roger Macey, California Division of Measurement Standards, served as project manager and coordinated the activities of 14 participating jurisdictions, which represented a good cross-section of jurisdictions in the United States. Half of the participating jurisdictions currently are active in package inspections. NIST will provide a spreadsheet to NCWM staff that will perform the data entry. Once that is completed, the data will be assessed.

There is no plan to hold press conferences to announce the results. Industry expressed concern about the protocol that was going to be used. Most of these concerns were addressed satisfactorily during the open hearings at the 2006 Interim Meeting.

The BOD determined that marketplace surveys would be conducted on an annual basis.

3. Meetings

Interim Meetings

January 21 - 24, 2007	Omni Jacksonville, Jacksonville, FL
January 27 - 30, 2008	Hyatt Regency Albuquerque, Albuquerque, NM

Annual Meetings

July 8 - 12, 2007	Snowbird Resort, Salt Lake City, UT
July 13 - 17, 2008	Sheraton Burlington Hotel & Conference Center, Burlington, VT

Staff was directed to continue to look for a warm location for the 2009 Interim Meeting. The 2009 Annual Meeting will be held in the Southern region. Members are encouraged to submit suggestions for meeting locations to the NCWM staff.

4. Membership Marketing

The BOD recognizes the need to address membership and meeting attendance. The management company, Management Solutions Plus (MSP), hired Judy Markoe to assist the various associations in gaining public recognition and membership. Judy met with the BOD at its 2005 fall meeting. Based on information shared in that meeting, Judy created a focused marketing concept tailored to the needs of NCWM, which was presented to the BOD at the 2006 Interim Meeting. The marketing plan is geared to increase public awareness of the NCWM and weights and measures activities. The BOD hopes that the regional associations will also realize some of the benefits reaped by the NCWM.

A task force consisting of Judy Cardin, Stephen Pahl, Chris Guay, and Darrell Flocken has been formed to work with Judy Markoe on this initiative. An online survey tool was used to gather information from both current and

past NCWM members. The task force developed recommendations based on this survey and presented them to the NCWM BOD at the 2006 Annual Meeting. From those recommendations, the BOD has elected to:

- Update the NCWM website to enable on-line meeting registration;
- Update the NCWM website to enable on-line membership renewal; and
- Have the work group continue developing recommendations for further consideration at the fall 2006 BOD meeting.

5. NCWM Website – www.ncwm.net

Many positive comments have been received regarding recent improvements to the NCWM website. The site continues to evolve in order to better serve the members and gain the interest of first-time viewers. As always, the BOD accepts suggestions to further improve the website.

One suggestion was to include mailing addresses in the membership directory, which is available only through the “Members Only” portion of the website. Following feedback at the open hearings of the 2006 Interim Meeting, the BOD decided to include members’ street addresses in the online directory. Each member has the choice to opt out of including his street address.

Additional future improvements to the website include on-line meeting registration and membership renewals.

6. Electronic Copies of NCWM Publication 14

At the request of our industry membership, the NCWM developed an electronic version of Publication 14 and made it available on CD. The CD contains Publication 14 Administrative Policy and all NTEP technical policies, checklists and test procedures. An order form is available on the NCWM website at <http://www.ncwm.net>.

The BOD received some comments at the 2006 Interim Meeting regarding the use and pricing of the electronic version of Publication 14. These recommendations will be addressed after more information is available on its use during 2006.

7. Mutual Acceptance Arrangements

The purpose of Mutual Acceptance Arrangements is to establish bilateral and multilateral agreements. Under such agreements and arrangements, manufacturers would be able to submit their equipment to any of the participating countries for testing to OIML-recommended requirements. The resulting test data would be accepted by other participants, as a basis for issuing each country’s own type approval certificate.

NTEP Director, Stephen Patoray, attended an MAA Seminar for Assessors on September 5 - 6, 2005. During this seminar, Mr. Patoray provided the attendees an overview of the additional requirements in the United States for both OIML R 76 and R 60. He updated the attendees at the 2006 NCWM Interim Meeting regarding the current status of the MAA and other developments. The next scheduled meeting of the Committee on Participation Review (CPR) for R 76 and R 60 is now scheduled for March 7, 8 and 10 in Sydney, Australia.

The NTEP Committee discussed this item during the fall 2006 NTEP Committee meeting. Based on previous input from the NCWM membership and other discussion on this topic, the NTEP Committee believes the United States should be a Country A (issuing participant) with full laboratory capabilities for OIML R 76 "non-automatic weighing instruments" and should not participate in a Declaration of Mutual Confidence (DoMC) as a Country B (utilizing participant) for R 76. However, the NTEP Committee recognizes there are no identified resources available to move forward with a laboratory for R 76 at this time.

The NTEP Committee discussed the NIST Force Group’s position not to participate as a testing laboratory for OIML R 60 "load cells." There are relatively few load cell evaluations requested on an annual basis, and it would be unreasonable to invest in such laboratory facilities, as the costs are not justified by the demand for services.

Based on these discussions, the NTEP Committee recommended the NCWM BOD sign the DoMC as a Country B for R 60 "load cells" only. The BOD approved this recommendation at the 2006 NCWM Interim Meeting.

This BOD decision allows NTEP to accept test data for load cells tested by foreign laboratories recognized by the DoMC. The United States will not have the ability to test to OIML requirements for international recognition.

The BOD maintains its commitment only to sign a DoMC for R 76 "non-automatic weighing instruments" if it can do so as a Country A with a viable lab.

During the opening ceremony of the 2006 NCWM Annual Meeting, Regine Gaucher, MAA Project Leader for BIML, presented NCWM Chair, Don Onwiler, with the DoMC for R 60 for his signature. Ms. Gaucher also presented the DoMC for R 76 to Alan Johnston (Measurement Canada) and the DoMC for R 60 to Pieter van Breugel, NMI Certin (The Netherlands) for their signatures at this same event.

Alan Johnston and Don Onwiler also took the opportunity at the 2006 Annual Meeting to renew the MRA between Canada and the United States for retail motor-fuel dispensers extending the term of the agreement from two years to five years.

8. Participation in International Standard Setting

As the international community continues to draw closer in legal metrology issues, the NCWM is receiving requests for participation at various meetings and conferences. The NTEP director is participating in international meetings of the Committee on Participation Review (CPR) for the Mutual Acceptance Arrangements for R 60 and R 76. The NCWM received an invitation to attend the Milestones Metrology Congress in May 2006 in The Netherlands to speak on the philosophy of the United States in the MAA process, explain the NCWM system, and provide a broad understanding of our legal metrology system.

The BOD discussed identifying appropriate individuals to represent the NCWM in the international arena based on the nature of the event and the type of input requested. Our participation is primarily requested for one of two reasons:

- 1) To provide technical input on standards alignment or mutual recognition of testing data, or
- 2) To provide insight into the legal metrology system of the United States.

It is the decision of the NCWM BOD that the NTEP Director will continue to represent U. S. interests in the international arena as it pertains to technical discussions. It will be the role of the NCWM Chair or the Chair's designated appointee to represent the United States in the international arena when the purpose is to represent the U. S. legal metrology system.

9. NCWM Registration Fees Refund Policy

The BOD has adopted the following policy regarding all NCWM scheduled conferences, non-conference meetings sanctioned by the NCWM, and activities such as, but not limited to, meetings associated with the functions of the National Type Evaluation Committee:

Cancellations received prior to any early registration deadline date are subject to a 15 % cancellation fee. No refunds will be given after that date except as follows:

- 1) In the case of a state-declared natural emergency that results in the member's inability to attend the conference, there will be a full refund of the member's registration fee.
- 2) In the case of personal medical emergency associated with the NCWM member, and in the case of fatal or life-threatening illness or injury of an immediate family member, full or partial refunds may be considered based on documentation of the specific medical emergency and BOD review and approval.

In any other instance of requests for refunds of conference registration fees, it shall be the policy of the BOD to deny such requests. However, the BOD recognizes the need to be flexible based on yet-to-be-determined circumstances out of the control of individual members.

**National Conference on Weights and Measures, Inc.
Statement of Activities, Year Ended September 30, 2005**

Revenue		Change in net assets	(1,704)
Government Dues	\$89,715	Net Assets, beginning of year	\$606,632
Associate Dues	\$56,250	Net Assets, end of year	\$604,928
National Type Evaluation Program	\$467,066		
Interim Meeting Fees	\$25,730		
Annual Meeting Fees	\$73,565	Assets	
Publications	\$24,246	Current Assets	
Advertising	\$825	Cash and cash equivalents	\$193,399
Investment Return	\$15,804	Certificates of Deposit	566,918
Miscellaneous	100	Accounts Receivable	299
Total Revenue	\$753,301	Prepaid Expenses	3,785
		Interest Receivable	1,751
Expenses		Total Assets	<u>\$766,152</u>
Programs		Liabilities and Net Assets	
National Type Evaluation Program	\$428,618	Current Liabilities	
Annual Meeting	\$94,012	Accounts Payable	\$ 4,629
Interim Meeting	\$56,814	Deferred Dues Revenue	151,170
Publications	\$15,267		
Newsletter	\$14,602	Total Liabilities	155,799
Membership	\$11,550		
Total Programs	\$620,863	Net Assets	
Management and General		Unrestricted	610,353
Management Fees	\$49,774		
Website	\$32,178	Total Liabilities and net Assets	<u>\$766,152</u>
Board of Directors	\$22,734		
Bank Fees	\$13,619		
Legal and Accounting	\$6,493		
Office Supplies	\$2,390		
Insurance	\$1,989		
Committee Contingency Fund	\$1,929		
Printing and Duplicating	\$1,317		
Telephone	\$1,206		
Workgroup Travel	\$426		
Postage	\$63		
Miscellaneous	\$24		
Total Management and General	\$134,142		
Total Expenses	<u>\$755,005</u>		

Don Onwiler, Nebraska, NCWM Chair
Michael Cleary, California, NCWM Chairman-Elect
Jim Truex, Ohio, NTEP Committee Chair
Judy Cardin, Wisconsin
Charles Carroll, Massachusetts
Tom Geiler, Town of Barnstable, Massachusetts
Joe Gomez, New Mexico
Stephen Pahl, Texas
Russell Wyckoff, Oregon
Christopher B. Guay, Procter & Gamble Co.
Darrell Flocken, Mettler-Toledo, Inc.
NCWM Staff: Beth Palys, CAE
NIST: Henry Oppermann

Board of Directors

Appendix A

Report on the Activities of the International Organization of Legal Metrology (OIML) And Regional Legal Metrology Organizations

International Legal Metrology Group
Weights and Measures Division, NIST

The International Legal Metrology Group (ILMG) of the Weights and Measures Division (WMD) of the National Institute of Standards and Technology (NIST) is responsible for coordinating U. S. participation in OIML and other international legal metrology organizations. Learn more about OIML at the OIML website at <http://www.oiml.org> and the WMD website at <http://www.nist.gov/owm> on the Internet. Dr. Charles Ehrlich, Group Leader of the ILMG, can be contacted at charles.ehrlich@nist.gov or at (301) 975-4834 or by fax at (301) 975-8091.

Please note: OIML publications are now available without cost at <http://www.oiml.org>

Table A Table of Contents

I. Report on the Activities of the OIML Technical Committees.....	A2
II. Mutual Acceptance Arrangement (MAA) on OIML Type Evaluations	A4
III. Future CIML Meetings.....	A5

Table B Glossary of Acronyms*

BIML	Bureau of International Legal Metrology	IR	International Recommendation
CD	Committee Draft ¹	MAA	Mutual Acceptance Arrangement
CIML	International Committee of Legal Metrology	OIML	International Organization of Legal Metrology
CPR	Committee on Participation Review	PTB	Physikalisch-Technischen Bundesanstalt
DD	Draft Document ²	R	Recommendation
DR	Draft Recommendation ²	SC	Subcommittee
DV	Draft Vocabulary ²	TC	Technical Committee
DoMC	Declarations of Mutual Confidence	WD	Working Document ³

¹ CD: a draft at the stage of development within a technical committee or subcommittee; in this document, successive drafts are numbered 1 CD, 2 CD, etc.

² DD, DR, DV: draft documents approved at the level of the technical committee or subcommittee concerned and sent to BIML for approval by CIML.

³ WD: precedes the development of a CD; in this document, successive drafts are number 1 WD, 2 WD, etc.

* Explanation of acronyms provided by OIML.

I. Report on the Activities of the OIML Technical Committees

This section reports on recent activities and the status of work in OIML Technical Committees (TCs) and Technical Subcommittees (SCs) of specific interest to members of the NCWM. Also included are schedules of future activities of the Secretariats, the U. S. National Work Groups (USNWGs), and the International Work Groups (IWGs) of the Committees and Subcommittees. The country named in parentheses after the title of the technical committee is the Secretariat of that committee.

TC 3/SC 1 “Pattern Approval and Evaluation” (United States)

The subcommittee approved the U. S. proposal for a combined revision of OIML D 19 “Pattern evaluation and pattern approval” and D 20 “Initial and subsequent verification of measuring instruments and processes” into a single document entitled “Principles of metrological control of measuring instruments: type approval and verification.” Key elements of OIML D 3 “Legal Qualification of Measuring Instruments,” R 34 “Accuracy Classes of Measuring Instruments,” and R 42 “Metal Stamps for Verification Officers” will also be incorporated into the combined revision of OIML D 19 and D 20. The revised documents will incorporate recent developments such as the OIML certificate system, D 27 “Initial verification of measuring instruments utilizing the manufacturer's quality management system,” and the “Framework for a mutual acceptance arrangement (MAA) on OIML type evaluations.” Consideration will be given to the appropriate conformity assessment options developed by the ISO Council Committee on Conformity Assessment (ISO CASCO), including quality systems, product certification, and accreditation. Consideration needs to be given as well to information technology and statistical methods to increase or decrease verification intervals based upon proven instrument performance. For more information on this activity, contact Dr. Ambler Thompson at (301) 975-2333 or at ambler@nist.gov.

TC 5/SC 2 Software (Germany and France)

In 2004 all OIML TCs and SCs that were revising an OIML Recommendation were contacted to ensure that software aspects are considered in revised Recommendations. All OIML Documents and Recommendations published since 1990 were reviewed for terms and requirements related to software. A pre-draft of the document “Software in Legal Metrology” was circulated in October 2004 by the Secretariat. When complete, this document will serve as guidance for OIML technical committees addressing software requirements in Recommendations for software-controlled instruments. The ILMG submitted U. S. comments on a working draft of this document in June 2006. This document can be viewed on the WMD website at <http://ts.nist.gov/ts/htdocs/230/235/TC5-SC2.htm>. Please contact Wayne Stiefel at (301) 975-4011 or at stiefel@nist.gov if you would like to participate in this project.

TC 8/SC 1 “Static Volume and Mass Measurement” (Austria and Germany)

The Secretariat submitted 1 CD revisions in January 2005 for OIML R 71 “Fixed Storage Tanks,” R 80 “Road and Rail Tankers,” and R 85 “Automatic Level Gages for Measuring the Level of Liquid in Fixed Storage Tanks.” U. S. comments, including those of the American Petroleum Institute, on all three of these documents were sent in April 2005. The Secretariat held a subcommittee meeting in April 2005 in Vienna, Austria. The United States provided a vote and comments on the 2 CD of all of these documents in April 2006, and a meeting of the subcommittee was held in Hamburg, Germany, in April 2006. Please contact Wayne Stiefel at (301) 975-4011 or at stiefel@nist.gov if you would like copies of the documents or to participate in these projects.

TC 8/SC 3 “Measuring Instruments for Liquids other than Water.” (Germany) and TC 8/SC 4 “Dynamic Mass Measurements (Liquids other than Water)” (United States)

OIML R 117 “Measuring Instruments for Liquids other than Water” is undergoing an extensive revision, incorporating new instrument technologies and merging the document with OIML R 86 “Drum Meters” and R 105 “Mass Flowmeters.” This is a high priority project for OIML. ILMG is working with the USNWG, Germany, and The Netherlands on this effort. Meetings of the USNWG on flowmeters were held during the NCWM Annual Meeting in July 2005 in Orlando, Florida, the NCWM Interim Meeting in January 2006 in Jacksonville, Florida, and the NCWM Annual Meeting in July 2006 in Chicago, Illinois. Measurement Canada has been a strong contributor to this effort. A 2 CD of R 117 was circulated to the two international subcommittees and received over 90 % international “yes” votes. OIML member nations will vote on the DR of R 117-1 by postal ballot with an objective of receiving full CIML approval on R 117 in early 2007. If you have questions or would like to become involved in this effort, please contact Ralph Richter (301) 975-3997 or at ralph.richter@nist.gov.

TC 8/SC 7 “Gas Metering” (Belgium and France)

The Secretariat circulated a 3 CD of the Recommendation “Measuring Systems for Compressed Natural Gas (CNG) for Vehicles” and annexes covering performance tests for electronic devices and basic test procedures. In April 2003, the United States cast a negative ballot on the 3 CD because the testing requirements were considered to be unrealistic. A 4 CD is being prepared by the Secretariat.

A ballot was circulated on the 4 CD “Measuring Systems for Gaseous Fuel” and U. S. comments were returned in November 2005. This Recommendation is intended for large pipelines with large flowrates and high operating pressures, or systems not fitted with diaphragm gas meters. Different types of measuring systems are covered by the Recommendation: measuring systems providing indications of volume at base conditions or mass converted from a volume of gas determined at metering conditions, measuring systems providing directly the mass of gas, and measuring systems providing indication of energy corresponding to a volume at base conditions or a mass of gas. The United States voted “no” on the 4 CD of this document. Please contact Wayne Stiefel at (301) 975-4011 or at stiefel@nist.gov if you would like to obtain a copy of these documents or to participate in these projects.

TC 8/SC 8 “Gas Meters” (The Netherlands)

Based on a poll of TC 8/SC 8 members, R 6 “General provisions for gas volume meters,” R 31 “Diaphragm Gas Meters,” and R 32 “Rotary Piston Gas Meters and Turbine Gas Meters” were revised and combined into a single Recommendation. The Secretariat circulated a 2 CD of this document, and U. S. comments were returned in March 2005. A subcommittee meeting to discuss the document was held in June 2005 in The Netherlands. The United States voted “yes” with comments on the 3 CD of this document in January 2006. Please contact Wayne Stiefel at (301) 975-4011 or at stiefel@nist.gov if you would like to participate in this project.

TC 9 “Instruments for Measuring Mass” (United States)

The United States will begin the review cycle for R 60 “Load Cells” after the revision of R 76 “Non-automatic Weighing Instruments” is complete, probably late in 2006. If you would like to participate in the revision of R 60, please contact Steve Cook at (301) 975-4003 or steven.cook@nist.gov.

TC 9/SC 1 “Nonautomatic Weighing Instruments” (Germany and France)

The current review cycle of R 76 “Non-automatic Weighing Instruments” is of major importance to U. S. interests because the Recommendation serves as the foundation for a majority of the laws and regulations that govern weighing instruments around the world. This review is significant for U. S. weighing instrument manufacturers because international harmonization of requirements would eliminate technical barriers to trade and reduce the delays and the cost of getting new weighing instruments into the global marketplace. The United States returned comments on the 1 CD of the revised R 76 in April 2005. The revision included new language addressing metrological controls for type evaluations, conformity, and initial and subsequent inspections. The USNWG held a meeting in July 2005 and is being consulted concerning proposals to harmonize Handbook 44 and R 76. The United States voted “yes” on the 2 CD of R 76 in January 2006, voted “yes” on the 3 CD of R 76 in June 2006, and expects the DR to be approved by the CIML in October 2006. If you would like to participate in this effort, please contact Steve Cook at (301) 975-4003 or steven.cook@nist.gov.

TC 9/SC 2 “Automatic Weighing Instruments” (United Kingdom)

The Recommendation R 134-1 “Automatic Instruments for Weighing Road Vehicles in Motion – Total Load and Axle Weighing” is having its final comments incorporated and should be published in 2006. The test report format of this document, R 134-2, has been distributed in the United States and comments were submitted to the Secretariat in January 2006. Two other documents in this subcommittee are now being revised. The United States has returned comments on a WD of R 106 “Automatic Rail-weighbridges” and a 1 CD of R 107 “Discontinuous Totalizing Automatic Weighing Instruments (Totalizing Hopper Weighers).” If you would like to receive copies of any of these documents or work on these projects, please contact Richard Harshman at (301) 975-8107 or at harshman@nist.gov.

TC 17/SC 1 “Humidity” (China)

The Secretariat is working closely with the United States and a small international work group (IWG) to revise OIML R 59 “Moisture Meters for Cereal Grains and Oilseeds.” All drafts have been distributed to the USNWG, which for the most part is a subset of the NTEP Grain Sector. In October 2003, China hosted a meeting of the TC 17/SC 1 subcommittee in Beijing to review and discuss this revised document. A 2 CD that incorporated U. S. comments was circulated in May 2004 by the Secretariat. A meeting of the IWG was held in Paris in September 2004 to resolve

conflicts on the document. U. S. comments on the 3 CD of R 59 were returned to the Secretariat in August 2005 and are being incorporated into the next draft. Please contact Diane Lee at (301) 975-4405 or at diane.lee@nist.gov if you would like to participate in this work group.

TC 17/SC 8 “Quality Analysis of Agricultural Products” (Australia)

A new subcommittee has been formed to study the issues and write a WD document “Measuring Instruments for Protein Determination in Grains.” Australia is the Secretariat for this new subcommittee. A work group meeting was held in May 2004 in Sydney. A 2 WD of this document was received in August 2004, and a 3 WD was received in May 2005. A work group meeting was held in June 2005 in Berlin to discuss the latest round of comments on the 3 WD. Please contact Diane Lee at (301) 975-4405 or at diane.lee@nist.gov if you would like to participate in this work group.

II. Mutual Acceptance Arrangement (MAA) on OIML Type Evaluations

The OIML MAA is now being implemented. The first “provisional” Committee on Participation Review (CPR) has been established for OIML R 60 (Load Cells) and R 76 (Non-automatic Weighing Instruments). The CPR is being called ‘provisional’ to reflect the fact that the participants are under no obligation to sign either of the Declarations of Mutual Confidence (DoMCs) that are expected to result.

The first meeting of the CPR was held June 15 - 16, 2005, in Lyon, France, in conjunction with the 40th CIML Meeting and the 50th Anniversary Celebration of OIML. Mr. Stephen Patoray represented the NCWM, Mr. Steve Cook represented the Secretariat of OIML TC 9 responsible for OIML R 60, and Dr. Charles Ehrlich represented the Secretariat for OIML TC 3/SC 5 responsible for the MAA. Twenty-one countries had representatives at the meeting, with eight of the countries indicating interest in participating as an “Issuing Participant” for at least one of the two DoMCs. (An “Issuing Participant” is one that performs tests and issues certificates under the DoMC.) The CPR reviewed the application files of the eight countries wishing to be Issuing Participants, and decided that two of the countries needed to have peer reviews conducted. (For reasons of confidentiality, no countries are being identified by name until the DoMC is signed.) A seminar (training course) for peer review assessors was held on September 5 - 6, 2005, in Paris, and the peer reviews were completed in January 2006.

Also at the first CPR meeting, a draft “Operating Rules” for CPRs was discussed, and it was agreed among CPR members that an 80 % voting rule would apply, with no more than one negative vote from an “Issuing Participant” allowed. The “Operating Rules,” containing this and other proposals, was put forward to the CIML for postal vote. A draft implementation document on using ISO/IEC 17025 (requirements for testing laboratories), to be used for conducting the legal metrology audits, was also discussed. Another implementation document on ISO Guide 65 (requirements for issuing authorities) was circulated to the CPR for comment after the meeting. These implementation documents are being distributed as working drafts to OIML TC 3/SC 5 to be developed as OIML documents.

The NCWM Board of Directors (BOD) had indicated to the BIML its desire to participate on the CPR, primarily to help answer many of the NCWM’s questions and concerns, and realized that many details regarding the implementation of the MAA will be developed through discussions of the CPR. The NCWM also indicated to the BIML that the NCWM anticipated it would sign a DoMC for R 76 only when it is prepared to do so as an OIML Issuing Authority that issues test data and OIML Certificates under the MAA (i.e., as an Issuing Participant). The BIML allowed the NCWM to participate on the CPR under this arrangement. In order not to pay the 1500 Euro fee for “examination of their candidacy” as an Issuing Participant, the United States has for now been considered as a country that will not issue OIML Certificates under the MAA, but rather will utilize those issued by other countries (a “Utilizing Participant”). This arrangement could change as negotiations continue and the CPR discussions advance.

At the January 2006 Interim Meeting in Jacksonville, Florida, the Board considered whether the NCWM should be a Utilizing Participant for R 60 since all of the necessary load cell testing capability to be an Issuing Participant is not available in the United States. The Board decided to sign the DoMC for R 60. After the second CPR meeting was held in March 2006 in Sydney, the signing of the DoMCs for R 60 and R 76 started. The NCWM signed the DoMC (as a “Utilizing Participant”) for R 60 during a ceremony at the July 2006 NCWM Annual Meeting in Chicago. Under this DoMC, the National Type Evaluation Program (NTEP), administered by NCWM, will accept test data on load cells that are tested according to the requirements in OIML R 60 (and “additional,” agreed-upon requirements), from “Issuing Participants” under the DoMC, to use as the basis of issuing NTEP Certificates.

OIML TC 3/SC 5 will start revising both publication B 10-1 (MAA) and publication B 3 “OIML Certificate System for Measuring Instruments” after some additional experience with the MAA has been gained. Further implementation of the MAA may require that other detailed regulations be developed.

For further information on the MAA and its implementation, please contact Dr. Charles Ehrlich at charles.ehrlich@nist.gov or at (301) 975-4834 or by fax at (301) 975-8091.

III. Future CIML Meetings

The 41st CIML Meeting will be hosted by South Africa in Capetown in October 2006. The Committee noted that the People’s Republic of China was considering inviting the CIML to hold its 42nd Meeting in China in October 2007. A decision on this will be made at the 41st CIML Meeting.

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Appendix B

Report of the Associate Membership Committee (AMC)

Gary Lameris, Hobart Corporation

July 10, 2006
Chicago, Illinois

The following individuals were in attendance:

Gary Lameris, Chairman	Lameris Consulting
Stephen Langford, Vice-Chair	Cardinal Scale
Vince Orr, Secretary-Treasurer	Conagra Foods
Janet Sheiner	Petco
Cary Frye	International Dairy Foods Association
Richard Davis	Georgia Pacific Corporation
Paul Lewis	Rice Lake Weighing Systems
Mike Sarachman	Kraft Foods
Chris Guay	Procter & Gamble
Bob Murnane	Seraphin Test Measures
Gale Prince	Kroger
Darrell Flocken	Mettler-Toledo
Louis Straub	Fairbanks Scales
Steve Steinborn	Hogan & Hartson
Pete O'Bryan	Foster Farms
Doug Biette	Sartorius
Leon Lammers	Avery Weigh-Tronix
Stephanie Siedschlag	Conagra Foods
Michelle Wright	ConAgra Foods
Keith Tsujimoto	Safeway Stores
Thomas Herrington	Nestle USA
Beth Palys	NCWM Headquarters

Chairman Lameris called the meeting to order at 12:05 p.m.

Minutes

The minutes of July 2005 and January 2006 meetings were approved.

Financial Condition

Chairman Lameris reported that as of June 30, 2006, the AMC fund balance was \$15,322.29 before the cost of the outing. This compares to \$18,810 at this time last year. Revenue this fiscal year from dues was \$13,440, which would equate to 896 Associate members. To date, three of the five training requests have been partially funded. Maryland, Massachusetts, and Colorado have been reimbursed.

Board of Directors Report

Darrell Flocken, the AMC representative on the NCWM Board of Directors, gave a report on Board activities:

- NIST announced a work group meeting for August 8, 2006, (now postponed) on Handbook 133. Additional discussion occurred in the new business below.
- The NCWM is continuing to develop a marketing plan. When called, 43 % of those who did not renew their dues stated they “just forgot.” The Board has planned to implement changes to the website to allow online registration and billing for meetings and dues to help increase the membership. They may ask the AMC for some funding. The cost estimate is \$2250 for adding the membership feature and \$5900 for adding meeting registration.
- NIST WMD has announced they are revamping their website to improve navigation.
- NIST is considering publishing Handbook 130 and 133 on an “as needed” basis.
- The NCWM Review Committee has been discontinued after some positive and negative outcomes during the first year. The Committee pointed to some changes needed in the process such as:
 - Form 15, the form required to submit an item to the committees, needs to be reworked and published in an easier-to-find location on the website. Currently, according to Beth Palys, the plan is to create an editable PDF form on the website so members can type directly on the form.
- The data collection phase of the marketplace survey has been completed. The product surveyed will be revealed this afternoon in the Board of Directors open hearing.
- There will be no increase in NTEP fees this year.
- Aves Thompson from Alaska is retiring effective the end of July.

Election of Committee Members and Officers

Thomas Herrington and Chris Guay have been elected to terms expiring in 2010
Paul Lewis, Sr., has been elected as the Secretary-Treasurer

Training Funds

- Maryland has completed their training session and only required \$1443 of the \$2500 grant.
- MWMA has been reimbursed \$800 of the \$1300 granted. They originally planned two sessions.
- Colorado Department of Agriculture has been reimbursed \$1300.
- Schenectady County and Ohio have not yet submitted reimbursement receipts.

AMC Membership Report

AMC membership is again increasing after a couple of slow years. The recent totals are:

- 2006 – 844 members,
- 2005 – 828 members,

- 2004 – 837 members, and
- 2003 – 953 members

Old Business

Steve Steinborn of Hogan & Hartson stated the NIST memo dated January 1, 2006, concerning the packaged food industry has been withdrawn.

New Business

Much discussion occurred from the BOD report concerning a NIST work group on HB 133. After some discussion, it appears the major concern is with moisture loss, blister packs, and gel soakers. The AMC encourages the use of work groups and adopted the following resolution by unanimous consensus:

Any NIST Handbook 133 work group should be developed with a specific scope through guidance and coordination by the NCWM, Inc., Laws and Regulation Committee; any output of the work group shall go through the normal NCWM, Inc., process.

Vince Orr, AMC representative on the L&R Committee, reported that an update on stored vehicle tare and other issues will be presented at the 2007 NCWM Interim Meeting.

Adjournment

The meeting was adjourned at 12:55 p.m.

Respectfully submitted,

Stephen Langford,
Vice Chairman

Gary Lameris
Chairman

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